



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 1230-00
27 June 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you reenlisted in the Navy on 6 September 1963 after three years of prior honorable service. Your record reflects that you continued to serve without incident for three years but on 13 October and again on 5 December 1966 you received nonjudicial punishment (NJP) for one day of unauthorized absence (UA), absence from your appointed place of duty, and missing the movement of your ship.

Your record further reflects that on 14 July 1967 you were convicted by special court-martial (SPCM) of a 152 day period of UA and sentenced to forfeitures totalling \$510, a reduction to paygrade E-1, and a bad conduct discharge (BCD). The BCD was approved at all levels of review and ordered executed. On 19 September 1967 you received the BCD.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior honorable service, good post service conduct and your contention that you would like your discharge upgraded. The Board also considered your contention that your discharge was

unjust and too severe for the three offenses for which you received the BCD. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given the serious nature of your very lengthy period of UA. Given all the circumstances of your case, the Board concluded your discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director